

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
UNITED STATES OF AMERICA,

-against-

KWOK CHING YU,

Defendant.

ANALISA TORRES, District Judge:

USDC SDNY
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90 Cr. 47-6 (AT)

ORDER

The Court has reviewed the parties' submissions dated May 19 and June 15, 2023. *See* ECF Nos. 225, 227. Defendant requests that the Court terminate his term of supervised release early pursuant to 18 U.S.C. § 3583(e). *See* ECF No. 225.

After considering the factors in 18 U.S.C. § 3553(a), a court “may . . . terminate a term of supervised release . . . at any time after the expiration of one year of supervised release . . . if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice.” 18 U.S.C. § 3583(e)(1). “[C]hanged circumstances—for instance, exceptionally good behavior by the defendant” may “[o]ccasionally” warrant the early termination of supervised release. *United States v. Lussier*, 104 F.3d 32, 36 (2d Cir. 1997). But, “[a] defendant’s faithful compliance with the terms of his supervision does not, by itself, entitle him to modification or termination of his term of supervised release.” *United States v. Bouchareb*, 76 F. Supp. 3d 478, 479 (S.D.N.Y. 2014) (citation omitted). Instead, a defendant must demonstrate “extraordinary conduct or unforeseen harsh circumstances that warrant early termination.” *United States v. Hines*, No. 15 Cr. 98, 2019 WL 4221491, at *1 (S.D.N.Y. Sept. 5, 2019). Here, although Defendant has complied with the terms of his supervision, the Court does not find that he has demonstrated “exceptionally good behavior” or “unforeseen harsh circumstances” such that the Court should terminate his term of supervised release.

Accordingly, Defendant’s motion is DENIED without prejudice to renewal. The Clerk of Court is directed to terminate the motion at ECF No. 225 and mail a copy of this order to Defendant *pro se*.

SO ORDERED.

Dated: February 1, 2024
New York, New York



ANALISA TORRES
United States District Judge